



राजपत्र, हिमाचल प्रदेश (असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शुक्रवार, २४ फरवरी, १९६७/५ फाल्गुन, १८८८

GOVERNMENT OF HIMACHAL PRADESH

CIVIL SUPPLIES DEPARTMENT NOTIFICATION

Simla-4, the 20th January, 1967

No. 10-137/66-CS.—A copy of the Government of India, Ministry of Food and Agriculture (Department of Food) Order No. GSR. 1051, dated 1-11-1958 as published in the Gazette of India (Extraordinary) part II, section 3, sub-section (1), dated 1-11-1958 (and amended upto 26-11-1966) is hereby republished in Himachal Pradesh Rajpatra for the information of general public.

PRAKASH CHAND,
Joint Secretary.

MINISTRY OF FOOD AND AGRICULTURE
(DEPARTMENT OF FOOD)

ORDER

(AMENDED UPTO 18-/20/11/66)

New Delhi, the 1st November, 1958

G.S.R. 1051.—In exercise of the powers conferred by section 3 of the Essential Commodities Act, 1955 (10 of 1955) the Central Government hereby makes the following order, namely:—

1. *Short title, extent and commencement.*—(1) This Order may be called the Imported Foodgrains (Prohibition of Unauthorized Sale) Order, 1958.

(2) It extends to the whole of India except the State of Jammu and Kashmir.

(3) It shall come into force at once.

2. *Definitions.*—In this Order, unless the context otherwise requires:—

(a) “authorised dealer” means a dealer authorized by the Central Government or a State Government or by a duly authorized officer of the Central Government or the State Government, to run a fair price shop or ration shop at which imported foodgrains are or may be sold;

(b) “imported foodgrains” means foodgrains imported from outside India by the Central Government and supplied by that Government, either directly or through a State Government, to authorised dealers for sale to the public or *bonafide* domestic consumption through the Food Corporation of India.

(c) “State” includes a Union territory and “State Government” in the case of a Union territory means the Administrator of the Union territory.

3. *Prohibition of authorized sale of imported Foodgrains.*—No person other than an authorized dealer shall sell or store or offer for sale, imported foodgrains in any quantity either split or unsplit or mixed with other grains.

GSR. 740/ 23-6-59. *Explanation.*—The storage of imported foodgrains in quantities exceeding two quintals shall, unless the contrary is proved be presumed to be storage for the purpose of sale.

“3A. *Prohibition of sale of Foodgrains at excessive prices.*—The prices at which imported foodgrains may be sold or offered for sale by an authorized dealer shall not exceed such prices as are fixed by the Central Government or a State Government and notified in the official Gazette from time to time, for sale of such foodgrains”.

4. *Saving.*—Nothing in this order shall apply to—

(i) the sale of storage for sale of imported foodgrains on Government account, on account of the Food Corporation of India.

(ii) the re-sale by a person of imported foodgrains sold by the Central Government or a State Government by auction or by tender; or

(iii) the sale by a wholesale dealer authorized by the Central Government or a State Government to an authorized dealer;

*GSR. 1052/ 18-9-59. *(iv) the sale, under prior intimation to the State Government concerned, by banks of stocks of imported foodgrains hypothecated to them.

5. *Powers of entry, search, seizure, etc.*—(1) Any person authorized by the State Government or the Central Government in this behalf may, with a view to securing compliance with this Order or to satisfying himself that this order has been complied with,—

(i) stop and search or authorize any person to stop and search any person, boat, motor or any vehicle or receptacle used or intended to be used for movement of imported foodgrains for sale or storage for sale;

(ii) enter and search and authorize any person to enter and search any place;

(iii) seize or authorize the seizure of any imported foodgrains in respect of which he suspects that any provision of this order has been, is being or is about to be contravened along with the packages, coverings or receptacles in which the imported foodgrains are found or the animals, vehicles, vessels or conveyances used in carrying the imported foodgrains and thereafter take or authorize the taking of all measures necessary for securing the production of the packages, coverings, receptacles, animals, vehicles, vessels or conveyances so seized in a court and for their safe custody pending such production.

(2) The provisions of sections 102 and 103 of the Code of Criminal Procedure. 1898 relating to search and seizure shall, so far as may be, apply to searches and seizures under this clause.

[No. 201(37)/58-PY.II]

B. P. BAGCHI,
Joint Secretary to the Government of India.

